

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Canceled)

2. (Currently amended) The method of claim [1] 5, further comprising the step of: sealing said top of pie dough to the bottom of said pie shell, thereby sealing said pie filled with frozen fruit filled pie.

3. (Currently amended) The method according to claim 2, wherein said method further includes the steps of:

conveying said pie filled with frozen fruit filled pie through a freezer; and conveying said pie filled with frozen fruit filled pie to a packaging area and packaging said pie filled with frozen fruit filled pie.

4. (Canceled)

5. (Currently Amended) The method according to claim 4, wherein the formula for said suspension is: A method for manufacturing a pie filled with frozen fruit, said method comprising the steps of:

mixing ingredients to create pie dough;
forming a portion of said pie dough into a pie shell;
adding individually quickly frozen ("IQF") fruit into said pie shell;
depositing a suspension over said IQF fruit in said pie shell, wherein said suspension comprises:

a range of about 38% to about 88% liquid sweetener;

a range of about 5% to about 55% dry sweetener;

a range of about 4% to about 15% food starch; and

a range of about [.001%] 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension, IQF fruit and pie shell.

6. (Currently amended) The method according to claim [5] 1, wherein the formula for said suspension further includes comprises:

a range of about 0% to about 8% oily material;

a range of about 0% to about 4% flavorants; and

a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors, etc.

7. (Currently amended) The method according to claim [4] 5, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.

8. (Currently amended) The method according to claim [4] 5, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

9. (Currently amended) The method according to claim [9] 5, wherein [the] manufacturing [of] said suspension[,] includes the steps of:

metering the liquid sweetener into a mixing vessel;

blending the dry ingredients; and

adding said dry ingredients to said liquid sweetener while mixing.

10. (Original) The method according to claim 9, further including the step of: continuing mixing until said dry ingredients are uniformly distributed into said liquid sweetener.

11. (Currently amended) The method according to claim [1] 5, wherein said IQF fruit remains frozen throughout the manufacturing process and is not thawed until the end user bakes the pie filled with frozen fruit filled pie.

12. (Currently amended) The method according to claim [1] 5, wherein the distribution of depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished frozen fruit pie filling.

13. (Currently amended) The method of claim [1] 5, wherein said suspension exhibits a[rapid] reduction of viscosity when exposed to heat.

14. (Currently amended) The method according to claim [1] 5, wherein said suspension exhibits a~~rapid~~ an increase of viscosity when exposed to temperatures above 120 degrees Fahrenheit.

15. (Currently amended) The method according to claim [1] 5, wherein the use of said suspension created creates a stable suspension of the ingredients suspension and the IQF fruit.

16. (Canceled)

17. (Currently amended) The pie filled with frozen fruit filled pie according to claim [16] 20, wherein said process further includes sealing said top sheet of pie dough to the bottom of said pie shell, thereby sealing said pie filled with frozen fruit filled pie.

18. (Currently amended) The pie filled with frozen fruit filled pie according to claim 17, wherein said process further includes:

conveying said pie filled with frozen fruit filled pie through a freezer; and
conveying said frozen fruit pie to a packaging area and packaging said
pie filled with frozen fruit filled pie.

19. (Canceled)

20. (Currently amended) The ~~frozen fruit filled pie according to claim 19, wherein the formula for said suspension is: A pie filled with frozen fruit, said pie filled with frozen fruit manufactured by the process of:~~

mixing ingredients to create pie dough;

forming a portion of said pie dough into a pie shell;

adding individually quickly frozen ("IQF") fruit into said pie shell,

wherein said IQF fruit remains frozen throughout the

manufacturing process;

depositing a suspension over said IQF fruit in said pie shell, wherein said

suspension creates a stable suspension of the

suspension and the IQF fruit, and wherein said suspension comprises:

a range of about 38% to about 88 % liquid sweetener;

a range of about 5% to about 55% dry sweetener;

a range of about 4% to about 15% food starch; and

a range of about 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension, IQF fruit pie shell.

21. (Currently Amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 20, wherein the formula for said suspension further includes:

a range of about 0% to about 8% oily material;

a range of about 0% to about 4% flavorants; and

a range of about 0% to about 3% minor ingredients chosen from the group

consisting of: processing aids, preservatives, and colors, etc.

22. (Currently Amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 20, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.

23. (Currently Amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 20, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

24. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [21] 20, wherein [the] manufacturing [of] said suspension[,] includes the steps of:

metering liquid sweetener into a mixing vessel;
blending the dry ingredients; and
adding said dry ingredients to said liquid sweetener while mixing.

25. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 24, wherein the manufacturing of said suspension, includes the step of:

continuing mixing until said dry ingredients are uniformly distributed into said liquid sweetener.

26. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein the distribution of depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit ~~filled pie~~ filling.

27. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein said suspension exhibits a [rapid] reduction of viscosity when exposed to heat.

28. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein said suspension exhibits a rapid an increase of viscosity when heated or exposed to temperatures below above 120 degrees Fahrenheit.

29 - 34. (Canceled)

35. (Canceled)

36. (Currently amended) The method according to claim [35] 39, further comprising the steps of:

sealing said top sheet of pie dough to the bottom of said pie shell, thereby sealing said pie filled with frozen fruit filled pie; and
freezing said pie filled with frozen fruit filled pie.

37. (Currently amended) The method according to claim [35] 39, wherein [the] manufacturing [of] said suspension[,] includes the steps of:

metering liquid sweetener into a mixing vessel;
blending the dry ingredients; and
adding said dry ingredients to said liquid sweetener while mixing.

38. (Currently amended) The method according to claim 37, wherein [the] manufacturing [of] said suspension[,] further includes the steps of:

continuing execution of said mixing and stirring elements adding steps until said dry ingredients are uniformly distributed into said liquid sweetener.

39. (Currently amended) ~~The method according to claim 35, wherein the formula for said suspension is: A method for suspending frozen fruit in a pie filled with frozen fruit having ingredients of various specific gravities, said method comprising the steps of:~~

mixing a first set of ingredients to form a suspension, said suspension comprised of:

a range of about 38% to about 88% liquid sweetener;
a range of about 5% to about 55% dry sweetener;
a range of about 4% to about 15% food starch; and
a range of about 0.01% to about 5.0% food gum;

mixing a second set of ingredients to create pie dough;

forming a portion of said pie dough into a pie shell;

adding individually quickly frozen (“IQF”) fruit into said pie shell;

adding said suspension over said IQF fruit in said pie shell, said suspension used to suspend said IQF fruit in a uniform distribution upon baking of said pie filled with frozen fruit; and
applying a top sheet of pie dough over said suspension, IQF fruit and pie shell.

40. (Currently amended) The method according to a claim 39, wherein the ~~formula~~ for said suspension further includes:

a range of about 0% to about 8% oily material;
a range of about 0% to about 4% flavorants; and
a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors, etc.

41. (Currently amended) The method according to claim [35] 39, wherein IQF fruit remains frozen throughout the manufacturing process.

42. (Currently amended) The method according to claim [35] 39, wherein the distribution of depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit filled pie filling.

43. (Currently amended) The method according to claim [35] 39, wherein said suspension exhibits a [rapid] reduction of viscosity when exposed to heat.

44. (Currently amended) The method according to claim [35] 39, wherein said suspension exhibits a rapid an increase of viscosity when exposed to temperature increases above 120 Fahrenheit.